

**INTRODUCTION**

The Social Security Act, 42 USC 671(a)(18) prohibits delaying or denying the placement of a child for adoption or foster care on the basis of race, color or national origin of the adoptive or foster parent, or the child involved. The Multiethnic Placement Act (MEPA) was enacted in 1994 as part of the Improving America's Schools Act. In 1996, MEPA was amended by the provisions for Removal of Barriers to Interethnic Adoption (IEP) included in the Small Business Job Protection Act.

Any decision to consider the use of race, color or national origin as part of placement selection criteria must be based on individual circumstances of the child. The consideration must clearly document how it will advance the child's interests or needs.

**CRITICAL  
ELEMENTS OF  
MEPA/IEPA**

The consideration of race, color or national origin in relation to an adoptive placement must take into account the following four critical elements:

- Delays in placing children who need adoptive homes must not be tolerated and denials must be based on appropriate consideration.
- Discrimination must not be tolerated, whether directed toward adults who wish to serve as adoptive parents, children who need safe and appropriate homes or communities or populations.
- Active, diligent, and lawful recruitment of potential adoptive parents of all backgrounds is both a legal requirement and an important tool for meeting the demands of good practice.
- The standard in adoptive placements has been and continues to be "the best interest of the child." Nevertheless, as noted above, any consideration of race, color or national origin in adoptive placements must advance the child's best interest and must be made as an individualized determination of each child's needs and in light of a specific prospective adoptive parent's capacity to care for that child.

To determine the "best interest of the child," describe the role which race, color, or national origin has played in the life of the

child. What distinctive needs and interests does the child have regarding race, color or national origin? Why is it in the child's best interest to take these needs into account?